HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated Nainital the 14th November, 2006
First Bail Application No. 1073 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

Anil Giri,
S/o Jagdish Giri
R/o Village –Gadharona,
P.S. Kotwali, Manglour,
District-Haridwar. ..... Applicant in Jail.

Versus

State of Uttaranchal ..... Opposite Party

In Case Crime No. 329 of 2006
U/s 147, 148, 149, 452, 307,
302, 504 I.P.C. P.S. Kotwali Manglour,
District-Haridwar.

Hon'ble Rajesh Tandon, J.

The applicant has applied for bail in Case Crime No. 329 of 2006 U/s 147, 148, 149, 452, 307, 302, 504 I.P.C., P.S. Kotwali Manglour, District-Haridwar.

Heard Sri S.C. Tyagi, counsel for the applicant and Sri H.C. Pandey, A.G.A. for the State.

After taking into consideration, the averments made in the FIR, the accused-Anil Giri has not been shown to have possessing any weapon in his hand.

However, the injury report shows that injuries have been caused by a sharp edged weapon and as such prima facie a bare reading of the FIR shows that accused-Anil Giri has not inflicted injury by fire arm. On the other hand, there is a cross FIR lodged by Smt. Dulari and there are injures also on the side of the accused persons.

Counsel for the petitioner has also brought to the notice of the Court, the order passed on 7th November, 2006, where the co-accused Narendra Giri has been released on bail.

Considering the facts and circumstances of the case, it is a fit case for bail. Let the applicant be released on bail on executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Magistrate concerned.

Bail Application is disposed.

(Rajesh Tandon, J.)

Dated 14.11.2006
-Rathour